THURSDAY, DECEMBER 31, 1863.

THE PRESIDENT'S PLAN

It will perhaps be remembered by our readers that in making reference, soon after its appear ance, to the President's proclamation of amnesty and his accompanying plan of "so-oxlied reconstruction," we expressed a desire to leave, as far as possible, the primary discussion of these measures the hands of the people to whom they are adensed, and in whose interest they purport to be conceived and promulgated. There seemed to us many and obvious reasons why we should pursue this course. In the first place, we supposed ourselves to understand somewhat of the difficulties attending the enunciation of any such plan which should combine theoretical perfection with practical efficiency, and therefore we thought it prudent to abstain from haste in either approving or condemning the proposition in question. In the second place, the plan was one addressed to the people of the Insurgent States, and it seemed but fair that they should have an opportunity of pronouncing their opinion on it without any bias from the prejudgments of those less directly interested in a solution of the problem. And then, moreover, the President had avowedly submitted his proposition to the consideration and discussion of the persons concerned, distinctly apprizing them in advance that he was not wedded to this particular programme of operations, and therefore leaving them free to take any other initiative which, in their discretion, they should judge to be more consistent with their rights and dignity as American freemen, and at the same time compatible with the rights and dignity of the National Government. In conformity with the purpose thus announced

we to-day give place to a communication from a citizen of Tennessee, who discusses the plan of the President with freedom, but, so far as we can per ceive, with candor, while bringing against it certain objections, among which special prominence is assigned to the fact that the proposed plan makes no discrimination between "repentant rebels" and steadfast Union men, but places it in the power of the former to override the latter unless they shall consent to a humilisting identification with rebels by taking in common with the u a rebel's oath of lovalty. In a word, the writer complains that, while the plan is generous enough to insurgents, it does not award their proper place to those who have preserved their loyalty without trint and without suspicion. As contributing to that free discussion which the President has invited in the quarter interested, we cheerfully publish the communication of our correspondent, authenticated as it is by his own proper signature, and invite for it the candid perusal of our readers.

AVAILS OF THE TAX LAW.

The monthly abstracts of collection returns, coming down to June 30, 1863, the incomplete returns of a later date, and the estimates made in the Bureau of Internal Revenue, afford the following information as to the avails under some of the more impuriant heads of the tax law as it stands, and the probable receipts, should it be amended in accordance with the recommendations of the Do-

Estimates of income tax received during the year 1863, collected in July and August, 1863, \$1,633,282, or at the rate of \$9,800,000 f.r the year, although these were dull

On this basis the present tax would amount to \$10,-000,000 per annum, and a tax of \$1 per gallon will yield more than \$40 000 000. The tax on ale, beer, and porter yie'ds nearly \$2,000,000 at 60 cents per barrel. If the tax te raised to \$1.50 per barrel, the receip's will be \$5,000,000. Peroleum yi lds at present \$750,000 per annum, and with the proposed tax on crude, with no draw-backs, will yield nearly \$2,000 000

mone, and the revenue ought to have been \$6,000,000. The proposed tax of 20 cents per pound on the crop of leaf in 1863 will give about \$2,000,000, if a drawback be allowed on the quantity exported If the plan of allowing no drawback be carried out, the tax on that crop will probably produce \$4,000 000, aithough the exports will be rec'nced.

In addition to this, the proposed tax on manufactured tobacco ought to bring in \$5,000,000. The old crop of 1862 now in the market cannot of course be subjected to

THE ILLINOIS LEGISLATURE.

In the mandamus case, lately before the Supreme Court of the State of Illinois, originating in the recent prorogation of the Legislature of that State by Governor Yates. it does not appear that the legality of the act of the Governor was affirmed, as has been stated. The Supreme sembled, had terminated the session; that the members of the Legislature had acquiesced in the Governor's action. and, sdepting his selvice and order, had, by abandoning without ever re-appearing therein, closed th the admitted fact that the Legislature had closed its ses

THE ALEXANDRIA FRAUDS.

It is stated that the investigations growing out of the fraude in the quartermes er's department at Alexandria are still progressing, and new candidates for the Old Capitol present themselves daily. Nearly all of the contractors, together with the quartermasters and their clerks, are now in that institution. The Secretary of War expects to have the entire party before the investigation closes. The Union says :

"The fraude, it is believed, are far more extensive than was at first supposed. From the fact that the officer whose duty it was to purchase forage for the army had appointed his bro her inspector of hay, and a con of the principal contractor inspector of grain, there is every reon to believe that no means have been neglected whereby money could be made at the expense of the Government.

Mr Postmuster General Blaze has so far recovered from his recent indisposition, we are glad to any, as to be able to resume his official duties.

Wm. Faxon, Erg., Chief Clerk of the Navy Department, hea left this city for his home in Hartford, (Conn.) He will be absent some eight or ten days, during which be correct, it is certain that some very intime the duties of his office will be performed by John W.

Capt. Thomas Wilson has been appointed Chief Commissary of the Army of the Potomac, in place of Col. H. F. Clark, relieved and ordered to New York.

Mej r Mulford, who has managed the responsible duties of his office as General Exchange Agent of Prisoners to have been very unhappy in their choice of terms acceptably; is in town on official business.

The Union prisoners recently released by the rebel authorities-five hundred and twenty in number-arrived at Angapolis on Tuesday. They are all private soldiers The overcoat, and bispkets sent by the Government to our prisoners in Richmond have been distributed, each of

A CONSTITUTIONAL QUESTION

It is known to all that when the last Congress passed what is called "the confiscation act" it was, at the instance of President Lincols, accompanied with a declaratory resolution defining its scope in the following words:

"Nor shall any punishment or proceedings under said act be so construed as to work a forfeiture of the real es-tate of the offender beyond his natural life."

This explanatory declaration was suggested by tion, as understood at the time the law was passed :

"Congress shall have power to declare the punishmen of treasen; but no attainder of treasen shall work corrup-tion of blood or forfeiture except during the life of the person attainted.

The intention of the National Legislature in passing the law and of the President in approving it was therefore left without occasion for doubt or controversy. It was meant to signify to all judges charged with the administration of the law that no proceedings under it should "work a forfeiture of the real estate of an offender beyond his natural life." Such was the explicit direction of Congress, embodying the known views of the Execu-

And yet, notwithstanding this express language of the law, it is known that Judge Underwood, of the United States District Court for the Eastern District of Virginia, recently decreed the sale of certain real estate owned by Hugh Latham, adjudged guilty of treason, and directed its transfer in fee simple to the purchaser when the same should be sold under the order of the court. And our able contemporary, the New York Evening Post, in commenting on this decision, expresses the hope that the attention of Congress will be directed by some of its members at an early period in the present session to the necessity of amending such "recent legislation as restricts the confiscation of real estate in cases of treason to a term com mensurate with the life of the criminal." It would be impossible for the Post, in making this recommendation, to stigmatize with greater severity the conduct of a Judge who, it admits, has violated the plain injunction of the law as it now

It is argued by the advocates of this change that the provision of our Constitution under this head employs language which in this country has become fairly obsolete, and such as requires a recourse to history in order to make its meaning clear. And the historical explanation which they bring to the elucidation of this "obsolete" phraseology is found in the fact that it was formerly the practice in England for Parliament te pronounce persons guilty of treason after their death, and to declare their blood so tainted and corrupted by this crime that they could not transmit an inheritance to their descendants. By means of this pretext their heirs were deprived of the property which would otherwise be theirs by the law of inheritance. "This," says the Post, "was the abuse, and a grave abuse it really was, which the Constitution intended to prohibit; and in referring to it the peculiar technical language of bills of attainder was employed."

The careful reader of the Constitution will per ceive that this view is plainly erroneous, and proceeds from that "little learning" which is as dangerous in the interretation of a symmetrical instrument like the Constitution as it is in every other department of knowledge or research. The political abuse to which reference is made under this incomes of 1862, ten to tweive millions. Total ant collected on distilled spirits from September 1, 2, to September 1, 1863, \$4,863,272; of which were Constitution where it is provided that "no bill of attainder or ex post facto law shall be passed." " Bills of attainder," as they are called, were spepunishment upon persons supposed to be guilty of high offences, such as treason and felony, without any conviction in the ordinary course of judicial proceedings. It is in commenting on the origin Tobacco yields now some hing more than \$3 600,000 and purpose of this restrictive clause, as found in the er annum. The trauds in this article have been enor-9th section of Artice I of the Constitution, that Judge Story says :

"Such acts have been often resorted to in foreign Gov ernments as a common engine of state; and even in Eng. from Richmond, in charge of Colonel Mulford. Assistant land they have been pushed to the most extravagant extent in bad times, reaching as well to the absent and the deaf as to the hving. Sir Edward Coke has mentioned it to b among the transcendent powers of Parliament that an act may be passed to attaint a man after he is dead. And the reigning monarch, who was slate at Rosworth is said to have been attainted by an act of Parliament a few months after his death, notwite tanding the absurdity of deeming him at once in possession of the throne and a traiter. The punishment has often been inflicted without calling upon the party accused to answer, or without even the formality of proof, and sometimes because the law in its ordinary course of proceedings would acquit the offender. The injustice and iniquity of such acts in general constitute an irre-sistible argument against the existence of the power. In a Court merely decided that the General Assembly having free Government it would be intolerable, and in the hands dispersed on the 10th of June, and not having ever ressort of a reigning faction it might be, and probably would be. oused to the rule and death of the most virtuous cit zens Bills of this sort have been most usually passed in Eng Crown, or of violent political excitements—periods in which all nations are most liable (as well the free as the enslaved) to forget their duties and to trample upon the rights and liberties of others."

We need not pause to remark on the absurdity of the supposition that the framers of the Constitution, after having expressly forbidden the passage of any "bill of attainder" or of any "ex post facto law," should have thought it necessary to provide in a later section of the instrum, at that no attainder of treason should work corruption of spect before the time for making those returns had expirblood or forfeiture unless during the life of the person attainted. This prohibition had already been made complete, and needed no such superfluity to add to its strength. And hence, when they subsequently provided, in the clause under consideration, that " no attainder of treason shall work corruption of blood, or forfeiture except during the life of the person attainted," we are compelled to did not make the return for February within ten days after the first day of March; that the seventy first section. employed, and meant to say what they did say.

And, moreover, if the reasoning of the Post telligent jurists and capable expounders of the Constitution besides President Lincoln and the last Congress, which reflected his opinions, have fallen into a very grave misapprehension; and it also follows that the framers of the Constitution to express their meaning. This Judge Underwood assumes, for he admits that the meaning he assigns to the constitutional provision on this point cannot be extracted from it without giving to the when three-fourths of a regiment (or company, if not atfrom Belle Island, and are said to be in the best condition. word "except" the signification of "unless." He

to the true intent and meaning of the provision, to wit, that the forfesture was to be perfected during, and not after, the lifetime of the party attainted."

This is a very easy and expeditious way of ar

riving at his conclusion, but it will not, we fancy, occurred to the mind of Judge Story, who, in his ad to of provisions. commentaries on the Constitution, ws. consider this subject. After quoting the o. A .e of the Constitution relating to treason, and assigning as the probable reason why it expressly authorized on charges of having extorted large sums of money from the President and adopted by Congress in confer- Congress to punish that crime that it would nemity with the following provision of the Constitu- cessarily possess such power in the absence of ex- influence for their benefit, and in some cases of permitting

> press grant, he says: ' Two motives probably concurred in introducing it as an express power. One was, not to leave it open to im-plication whether it was to be exclusively punishable with death, according to the known rule of the common law, and with the barbarous accompaniments pointed out by it, but to confide the punishment to the discretion of Congress. The other was, to impose SOME LIMITATION upon the NATURE AND EXTENT of the punishment, so that it should not work corruption of b'o d, or forfeiture BE-

"It surely is enough for society to take the life of the offender as a just punishment of his erim, without taking from his off-pring and relatives that property which may be the only means of saving them from poverty and ruin It is bad pelicy too; for it cuts off all the attachments which these unfortunate victims might otherwise feel their own Government, and prepares them to engage i any other service by which their supposed injuries may be redressed or their hereditary hatred gratified. Upon these and similar grounds it may be presumed that the clause was first introduced into the original draft of the Constitution; and, after some amendments, it was adopted without any apparent resistance. By the laws since passed by Congress it is declared that no conviction or judgment, or any capital or other offences, shall work corruption of blood, or any forfeiture of estate. The history of other countries abundantly proves that one of the strong incentives to prosecute offences as treason has been the chance of sharing in the plunder of the victims. Rapacity has been thus stimulated to exert itself in the service of the most or rupt tyranny; and tyranny has been thus furnishe with new opportunities of indulging its malignity and revenge; of gratifying its envy of the rich and good; and of increas-

And Dr. Francis Lieber, in his work on "Civil Liberty and £elf Government," seems to have been equally ignorant of this "short cut" to knowledge, for he not only conceives this provision to mean what its language purports, but, in concurrence with Story, gives cogent reasons of public policy and national justice why it could and should mean nothing else. He says

"The true protection of individual property demands thewise the exclusion of confiscation. For, although confiscation, as a punishment, is to be rejected on account of the undefined character of the punishment, depending not upon itself but upon the fact whether the punished not upon itself but upon the fact whether the punished person has any property and how much, it is likewise inadmissible on the ground that individual property implies individual transmission, which confiscation totally destroys. It would perfect the confiscation totally destroys. It would perhaps not be wholly unjust to deprive an individual of his property, as a unishment for certain crimes if we would allow it to pass to his heirs We do it in fact when we imprison a man for life, and submit him to the egular prison discipline, disallowing him any benefit of the property he may possess; but it is unju-t to deprive his children or other heirs of the individual property, not to speak of the appetizing effect which confiscation of property has often produced upon Governments!

It will be seen that there is a striking similarity between his views and arguments and those of Judge Story. On the score both of justice and of policy, Dr. Lieber opposes confiscation "beyond the life of the offender," and these are considerations which, we submit, should not be put totally out of sight in judging between rival interpretaions of the Constitution, even if it be admitted, which we do not for a moment admit, that there is any obscurity in the terms of the provision under this head.

THE WORK OF GEN THOMAS

Adjutant Gen. Thomas, the organizer of pegro troops has returned from the Lower Mississippi, with cheering reports relative to the success of his grand enterprise He has put into the field 26,000 drilled slaves, suitably proportioned in artillery, infantry, and cavalry. Of these 17,000 have been placed under command of Gen. Banks. The women and children are established on abandoned plantations under wages, the lesses being required to tations of Louisiana and Mississippi are rented for a royalty on the produce-one cent a pound for cotton and sucial acts of the Legislature which inflicted capital gar, and five cents a bushel for corn and potators. The proceeds thus accruing are transferred to the National Treasury. Besides, the farms pay the direct revenue tax. Gen. Thomas will soon proceed to Gen. Grant's army, where he expects to organize ten regiments of negroes. Thence he will proceed to New Orleans and Texas, organizing the s'aves into military bodies -Hartford Courant.

FIVE HUNDRED PRISONERS RELEASED. The flag-of-truce boat arrived at Fortress Mouroe of Monday night with five hundred released Union prisoners prisoners who had been forwarded from Point Lookout tions of the enemy." by Gen. Butler. It is stated that further exchange is refused by the rebels unless all the questions are given up about which our Government has been contending, and their laws in regard to officers and sold ers of negro troops be recognized. They also refuse to receive any flag of truce from Gen. Butler, or to negotiate with him on the subject of exchange, in consequence of Gen. Jeff Davis' proclamation of last year outlawing Gen. Butler and offering a reward for his capture.

VIOLATION OF THE INTERNAL REVENUE ACT.

The following report of a case tried in New York on Averill's late incursion in Southern Virginia, says: ver a penalty for the violation of the second clause of rection sixty eight of the internal revenue act, is of interest in other parts of the country:

"The defendant is a manufacturer of boots and shoes n Wall street, and had made the returns required by the ve-mentioned clause and section regularly until March, manufactured him, and sold and delivered during the month of February, 1863, within ten days after the first tay of the following month. The assistant assessor in whose district the defendant is located gave evidence show-ing that he reminded the defendant of his duty in this reed, also of the consequences of neglect in this respect, and that the defendant did not comply with the law within the time silowed, and that thereupon he had estimated the smount of the defendant's manufactures and sales and de-livery during the mouth of February, and had assessed the

"The defence set up was inability to make the return within ten days after the first day of March by reason of sickness, and that the return was made before the assess ment was delivered to the collector for collection.

The Judge instructed the jury that the sole que prescribing the penalty for not so doing, is unqualified and peremptory; that immediately on failure to make the returns the penalty is incurred, and that no excuse is available as a defence to an action for such penalty.

"The counsel for the defendant requested the judge to instruct the jury that there was evidence tending to show that the defendant had made his return within the ten

days, and also that the defendant should not be prejudiced by the act of God; which requests were refused, and the

counsel for the defendant excepted.
"The jury after a few minutes absence, returned a verdict for the United States."

FURLOUGHS AND ENLISTMENTS general order, respecting re-enlishments and furleughs to veterans, has been issued from the headquarters of the Army of the Potomac. It provides that tached to a regiment) who are present for duty, are ready to re-colist, they shall be allowed a furlough of thirty-five our priseness in Richmond have been distributed, each of the constitutional provision, or make it read, 'sinkes during the life of the person attainted,' we shall at once come for suspending the exchange, we hope that it will be amend-

INTERESTING SOUTHERN NEWS

Richmond papers of the 224 instant have been received The Sentinel of the 21st says that the " Confederate States Armory," which has been in operation in Richmond for the past two and a half years, has been removed to Cobe satisfactory to many minds. It certainly never lumbia, South Carolina. The ostensible reason for its removal is the difficulty of transportation and the scarcity

Capt. Alexander, the commandant of Castle Thunder Richmond, has been relieved of his command and placed under arrest, preliminary to being tried by court-martial, prisoners confined in that institution, promising to use his the prisoners to go at large upon paying him large sums of money. He is also charged with trading largely in greenbacks.

The Enquirer of the 18th has a brief paragraph to the effect that Eason's foundry, in Charleston, had been destroyed by fire on the previous Saturday. From its reticence on the subject it is reasonable to suppose that its destruction was occasioned by some of General Gillmore's Greek fire."

The Enquirer of the 221 metant reviews the message of the Mayor of Mobile and pronounces it very satisfactory. The Mayor says there has been no suffering or actual want in Mobile. Its citizens have contributed \$130,000 to the free market, by which four thousand poor and needy persons have been fed, while one thousand families have been clothed at a cost of \$70,000, also donated by the itizens.

Gen. Pillow had returned to the military service, during the months of September and October, from the States of Alabams and Mississippi, twenty-six thousand conscripts for the infantry and cavalry.

THE CONFEDERATE CONGRESS. A bill requiring a tax of one-tenth of the crop of sweet otatoes throughout the South has passed the Congress. A wholesale conscription bill has also passed. It enacts

s follows: " Sec. 1 The Congress of the Confederate States of America do enact, That all musicians, privates, and non-commissioned efficers now in the armies of the Confederate States, by virtue of volunteering, enlistment, or con scription into the military service of the Confederate States, be and the same are hereby retained in said vice for and during the existing war with the United

States, and no longer,
"Sec. 2. Be it further enacted, That all troops so re tained in service shall continue to serve in companies battalions, squadrons, batteriss, and regimen's in which they now are until transferred, detailed, exempted, or discharged in accordance with existing laws and regula tions, and such laws and regulations as may hereafter be passed and adopted with reference to transfers, details exemptions, or discharges in the armies of the Con-

CONFISCATION OF CONFEDERATE NOTES. The following resolutions have been adopted:

" 1. That the notes of all Banks in the Confederate States held by alien enemies be confiscated.

"2. That all such notes which shall not be deposited

in the banks respectively which have issued the same, within ninery days after the passage of this act, shall be presumed to be held by alien enemies.

"3 That any bank which may incur a debt to the Gov eroment by reason of such confiscation pasy discharge the same or any part of the same within a certain time b paying one tenth thereof in specie and the residue in bood of the Corfederate States.

"4 To apply similar principle to cotton and other paper negotiable by delivery."

EFFICIENCY OF THE BLOCKADE

The Wilmington (N.C.) Journal of the 29th ultim ffectually exposes the untruthfulness of the stories which have been circulated for some months past relative to the running of the blockade at Wilmington. That paper says:

" We have for some time noticed the mistaken notions prevailing in regard to the amount of cotton which goes out of the country through the blockade. We are being drained of our cotton, says one paper; we are keeping the spindles of Old and New England going by permitting shipments to be made from Wilmington and Charleston, asys another; and we femarate a day or two since an allusion to this in the Savannah Republican, a highly intelligent and usually well posted paper, in which large transactions made in cetton in Live pool are referred to the supply obtained through the blockade. One would thick that millions, or at least hundreds of thousands of bales, had gone out in this way, and no doubt most people

do think so " In order to arrive at something definite upon this sub ject, we procured this morning from the custom-house here the following statement of the exports of cotton from this port for the first three quarters of the present year, (from the port of Wilmington, from 1st of January to 30th September, 1863:)

F ret querter, bales and quarter " Say that the current quarter equals or exceeds the

last, which it will no doubt do, still the whole export or the year will not exceed fifty thousand bales. A few bales or a few hundred bales may have been smuggled out, but altogether too few to take into account. All the blockade runners east of the Mississippi have

not taken out more than as much more. They cannot have done it. The reports of all the Confederate ports will not show one hundred and fifty thousand bajes; nor do we think that much even has gone or will have gone during the year, even if we include the cotton crossed over the Rio Grande from Brownsville, Texas, to Matamores, in the Mexican Department of Tamsulipas.

Much cotton has no doubt been wasted, damaged

rotted, as may be seen at almost any railroad depot, and in Agent of Exchange, having been sent down by the Con- this way the stock in the country has been reduced to an Agent of Exchange, having been sent down by the Con-federate authorities in exchange for five hundred rebel extent far beyond any thing that the small exports could effect, and beyond even the loss by burning or the devasta-

THE CURRENCY AND THE RAYONET The following order of Gen. Forrest is published. It is dated at Athens, (Tenn.) on the 231 of September :

"Confederate money is the currency of the country.
All persons refusing to take it in current transactions for produce or manufac ure necessary for the army or people will subject them-elves to being arrested and being sent to army headquarters for the depreciation of our money. and to having their goods, produce, &c. confiscated A bonds, oaths, and obligations imposed upon citizens by the Federal Government are declared null and void."

The Exeminer of the 22d instant, speaking of General Saturday—the United States vs. Henry Benner—to reco- Averill is allowed to escape the cavalry of Virginia had better be reorganized without loss of time. Our military suth-rities had abundant notice of his raid to have perfected the most elaborate plans. They were informed by Gen S.m. Jones that Averill was advancing on Lewisburg, with the design, he thought, of tapping the Virginia and Teun see railroad. This was a week before he reached Silem, in the neighborhood of which town he remained several days. We say nothing of the natural obstacles against which three thousand men would have to control in making a raid of three hundred miles through a moun amous and thinly-settled country. It would be impossible for them to carry their subsistence with them, and it would appear equally impossible for them to draw

THE EXCHANGE OF PRISONERS. The Richmond Enquirer of the 17th instant has the fol-

owing article on the subject of the exchange of pri-

In the matter of exchange of prisoners, the United States commissioner has been driven by Mr. Ould from point to point, from position to position, until finally Gens.
Meredith and Hitchcock have abandoned every point in dispute except the trestment of negro prisoners. The message' of President Davis of January 12 is now made the reason of suspending exchange, notwithstanding that from January to July this 'message' had been in force, and was never once referred to as sufficient cause for stopping the ope ations of the cartel. The enemy now rest their case upon this 'message.' We have already shown that the law of Congress for delivering all negroes and thur wh te officers captured in arms to State authorities rial under State laws was too wide in its language, and covered matter that is not within the province of one na-tion to dictate to snother. No nation has the right to say that its enemy shall not employ in its armies a certain class of its people. The composition of armies is a mat-ter belonging exclusively to the authorities of the nation itself. If the Yankees like negro troops they have the right to employ the free negroes of the United States in their armies, and they have the right to demand for them the proper treatment as prisoners of war. Congress, then, should so modify the law as to apply only to the slaves and free negroes of these [the Southern] States captured in the ranks of the enemy. Let us place ourselves right under the laws of war, and leave the consequences to take heir soldiers here in prison because we will not give up her right, under the laws of war, to continue their soldiers prison for our slaves and free negroes, we can do noting but accept the issue and meet the responsibility.

ed, and its provisions confined to the case of slaves and free negroes of these States captured in arms. Indeed, we see no necessity for any law on the subject. The Yan-kers are not going to send their negro troops in the field: they know as well as we do that no reliance can be placed upon them; but as depot guards, prison guards, &c. they will relieve their white troops. This is the use that will be made of them. Should they be sent to the field and be put in battle none will be taken prisoners—our troops un-derstand what to do in such cases If any negroes have been captured during the war as soldiers in the enemy's ranks we have not heard of them. We do not think that such a case has been reported. The law is, therefore,

THE BOMBARDMENT OF CHARLESTON.

Richmond papers to the 28th instant have been received at Fortress Mouroe. They are said to be quite gloomy over the subject of Averill's raid. They furnish the following despatches:

ORANGE COURT-HOUSE, DEC. 24. The Yankees have destroyed part of the town of Luray,

Page county, by fire.

December 25 — Gen. Rosser burnt the bridge over Pope's Run, but the high water prevented his doing more damage Gr gg's Yankee cavalry pursued Gen Rosser and compelled him to swim Bull Run. The enemy, while in pur suit, destroyed two tanneries and a lot of leather at Sper-ryville, also two tanneries and a flour mill and the Governnent workshop at Luray.

DALTON, DECEMBER 27. Gen. Jos. E. Johnston assumes command of the Army of Tencessee to day. Scouts report that two thousand Yankees are at Cumberland Shed, two miles north of Cumberland, and that a similar force is south of that place.

CHARLESTON, DECEMBER 25. The enemy commenced shelling the city last night, keep-ing up a steady fire, which is still going on at nine o'clock

his morning.

A fire broke out at two o'clock, destroying ten or twelve buildings, and causing a few ensualties. Heavy fiving i-going on in the direction of Stone, believed to be between our batteries and the enemy's gunboats. The shelling of the city continued during the day. One

white man was mortally and a white woman slightly wound d. Three firemen were bad's wounded by the fal-ing walls of the burnt buildings. Eight or ten were slightly wounded. All quiet at Sumter. December 26 -One hundred and thirty shells were fired

at the city from two o'clock Thursday night to four o'clock Friday attercoon The enemy fired from five guns—three at Gregg, one at Cummings' Point, and one mortar bat-December 27 -The enemy fired four shells at the city

to day. Our batteries kept up a vigorous fire on the enemy's working parties engaged in erecting another battery at the extreme end of Cummings' Point. Our loss at

The Hilton Head correspondent of the New York Tribune says that authentic news had reached that place of the destruction of Georgetown, (S.C.) When the intelligence of Brogg's discomfiture reached the place, according to one account, a panic seized on the inhabitants, and it was resolved to fire the town, and all the merchandise it con tained. Another account says that the place was fired by those opposed to the Confederate Government.

Letters from Charleston larbor state that for the past two months the rebel obstructions erected for the security of the city have been gradually working away, so that it is now supposed they can interpose no very formidable ob stacle to an advance by the Union fleet. One mass of these obstructions which floated out of the harbor during the late storm was nearly four hundred yards long, and consisted of heavy timbers, bolted and chained together and so weighted as to be sunk, except the upper tier of timbers, beneath the surface of the water. The detached pieces consisted of hewn timber, planks, &c., all giving evidence of having been portions of the obstructions. A large box, fifty feet long by twenty-five wide, also flusted ashore. Its probable use is a mystery. Portions of these obstructions were brought to Fortress Monroe on Monday by the steamer Massachusetts, to be forwarded to Wash-

FROM NEW ORLEANS.

The steamer George Washington arrived at New York on Saturday, from New Orleans, with advices to the 19th instant. She brings a number of rebel prisoners, among

Major Gen Frank Gardner, formerly commander of Port Hudson, and the following officers: A. D. C. Alec Dupree Col. J. A. Jaquess, Lieut. Col. M. J. Smith, all of Port Hudson; Capt J. J. Sloeum, Ninth Louisiana cavalry; Capt. Makemp, Ninth Louisiana cavalry; Capt. Makemp, Ninth Louisiana cavalry; T. C. Patterson, Twenty third Arkansas; H. L. W. Johnson, Fourteenth Arkansas; Lieuts. W. B. Burnett, Twelith Arkansas, J. W. Geer, Tenth Arkansas, J. K. Milan. seventeenth Arkansas.

A Convention of the Union associations in Louisiana vas held at New Orleans on th pose of electing representatives from that State to the Convention of the friends of freedom to be held at Louisville on the 8th of January. Twenty-two associations were represented.

Preparations for the State election in Louisiana are going active beforward. The Era says:

"The friends of the free-State movement are coming forward very scrively to register their names as voters under the call of the Governor. They not only go forward themselves, but urge their friends to do so. Meetings are held and discussions had almost nightly, by means of which the people are moving. All this work is done quietly but publicly, and already between three thousand and four housand have put down their names as voters. day adds to the number, and it is probable that by the middle of January there will be from eight to nine thousand names registered, or the maximum of the legal vote of the city when most populous. Under the old system of registry there were some fourteen thousand name:

Referring to the President's late proclamation the Era

Under this proclamation an election can be called when a number of qual fied voters are registered equal to one-tenth of the vote in 1860. The vote of Louislana in 1860 was about 45 000; so that when 4,500 are registered we shall be enutled to an election. This certainly spire every Free State man with hope and joy. It assures us a victory ; it promises the speedy restoration of our State under a new constitution, or, at any rate, with the old constitution stripped of the bideous institution of slavery."

Matters at Natchez remain qu'et. The rebels are in large force in the vicinity, but have thus far refrained from making any attack upon our entranchments. The Era

Since the firing on the Henry Von Phul all boats have passed up and down unmolested, and not a sign of an enemy is to be seen in the vicinity of Morganza Bend. A gunboat is stationed within easy reach of the point where the batteries were formerly placed.

"At the mouth of Red river a large fleet of gunb ats have been assembled, and as there is now a depth of nine feet of water on the har at that place, it is probable that we shall soon hear of these boats having ascended the Ked and Ouachi a rivers, doing all the damage to the enemy i Advices from Texas state that Gen. Washburne, with a

considerable body of troops, had started for Indispola and Lava ca. Both places are doubtless in our possession ere this. Great numbers of Texans rejoiced in the prospect of an early redemption of the State. It was believed that San Antonio would soon be under the old flag, where rebels under Gen. Magruder.

THE LOUISIANA CONGRESSIONAL DELEGATION. The New Orleans " i rue Delta" of the 18th isstant, in referring to the ri ction of Dr. Cottman and his associates of the Union delegation to Congress from the State of Logisiana, which election it approves and propounces to have been made with the assent of men of all parties, produces the following letter on the subject, written a year a week. ago by President LINCOLN to the Military Governor of

Washington, November 21, 1862.
DEAR SIR: Dr. Kennedy, hearer of this, has some apprehension that Federal efficers, not citizens of Louisiana, may be set up as candidates for Congress in that State. In my view there could be no possible object in such an election. We do not particularly need members of Congress from there to enable us to get along with legislation here. What we do want is the conclusive evidence that respectable citizens of Louisiana are willing to be member. of Congress and to swear support to the Constitution, and that other respectable citizens there are willing to vote for them and send them. To send a parcel of Northern men here, as representatives, elected as would be under stood (and perhaps really so) at the point of the bayonet, would be disgraceful and outrageous; and were I a member of Congress here I would vote against admitting any such a man to a seat. Yours, very truly. ABRAHAM LISCOLN.

FROM EUROPE

By the arrival at New York of the steamer City of Manchester, from Queenstown on the 18th instant, and the arrival at St. Johns of the steamer Adriatic, from Galway on the 22d instant, we have several items of interest European news.

The Government employes at Sherness, who assisted in fitting out the Rappshannock for the rebels, have been discharged for violation of the neutrality law. The names of persons serving on any rebel vessel, who belonged to the Naval Reserve, are ordered to be stricken from the list, to forfeit all privilege, and not to be allowed to reenter the service.

The London Gazette, republishes Earl Russsell's instructions, dated January 31, 1862, in regard to the use of British ports by vessels belonging to either of the beligerents in America, together with a letter, dated October last, from the Duke of Newcastle to the Governor of the Bahamas. In this letter the Duke says that in cases of grave emergency a belligerent ship may be permitted to enter a port in the Bahamas on the consent of a resident officer expressly delegated, instead of on the permission of the Governor solely

The London Army and Navy Gazette regards Gen. Lee's failure to follow Gen. Meade in his retreat as a decisive proof of the weakness of the South; and in regard to Gen. Meade's futile advance it says: "With good generalship Richmond might have been the prize."

MR. LINCOLN'S MESSAGE. The synopsis of Mr. Liucola's message and proclama tion, received via Hahfax, attracted general comment.

The London Times looks upon the message as warlike. and says the effect of the whole document, smnesty in cluded, resembles that of the last battle. The offer of peace is on terms that cannot be accepted. The whole question still depends on the fortune of war. It may be ratifying to the North to be formally assured that the Government is strong and successful enough to offer an unnesty. But it is evident that Mr. Lincoln a ticipa ea no pacific result; nor does the Secretary of the Treasury, who looks forward still to two years' war expenditures Commercial circles in New York appear to share his misgivings, the premium on gold having risen under the

The Morning Post thinks Mr. Lincoln must be "joking;" and says he should have remembered that a Con ederate a:my was escamped within a hundred miles of Washingon before he ventured to dictate such terms of amnesty, The Morning Star applauds the honesty of Mr Lincoln. rejoices at his determination to put down slavery, and says his peace overtures to the South are large and liberal. The message of Jeff rson Davis was generally regarded

as showing no signs of yielding on the part of the South ALLEGED LETTER FROM LORD LYONS. The Liverpool Post gives prominence to the following

paragraph : "We consider ourselves in a position to state that Lord Lyons, in a despatch to Earl Rossel from Washington, ansunces that the war will be terminated within the next three months The Confederates, being in the greatest extremities, will have spredily to propose an armistice. In our i formant we have the fullest possible confidence. It is possible that Lincoln's proclamation has reference to the facts on which Lord Lyons grounded his conclusion."

FRANCE.

It was reported that France, in response to the Russian reply relative to the Congress, had proposed a conference of ministers as preliminary to the meeting of the covereigns. Another statement is that France, in a note to the Swiss Government, says the desired programme will be drawn up and subsequently communicated to different Go-

The French Senate was engaged in debating the para graphs to the address-and the internal policy of the Government had been the subject of attack.

The Emperor Napoleon made a brief and pacific speech n response to the address of the Senate.

The paragraph in the address relative to Mexico met with some objection, but it was finally adopted after the Ministerial statement that the Government was approaching the establishment of a stable Government in Mexico at a firm, resolute, and rapid pace. The paragraph relative to Poland and the European

Congress was debated at length, and produced a strong anti-Russian sentiment and counter-protests against going to war for the Poles. The supplementary election at Dijon had resulted in the

triumph of the opposition candidate.

SOUTHERN NEWS VIA RICHMOND.

Despatches from Longstreet's army to the 231 instant in the Richmond papers represent him as still in the neighborbood of Morristown, on the East Tonnessee and Vir ginis railroad, forty-two miles from Knoxville, at which point firing was heard on the previous Sunday The despatch, which is dated at Bristol on the 23d, says: "Gen. Longstreet was unable to follow up his advantege in consequence of the large number of barefooted men in but command. The weather has been cold, and the mountains are covered with spow." It is further s ated that the

Confederate army has gone into winter quarters. A desparch dated at Houston, Texas, on the 231 ultimo, says: "The Legislature of Texus have refused to pass a resolution recommending Congress to declare Confederate Tre sury totes a legal tender. The Legislature is believed to be under conservative influence, though devoted to the Confederate cause."

The Richmond Enquirer of the 24th instant has a doleful editorial on the loss suffered by the Confederacy by our capture and occupation of East Tennessee. It says:

"Our lorses by the enemy gaining possession of East enuessee are incalculable. We are not only deprive! of Tenue-see are incalculable. We are not only deprived of the vast flour mills of that country which previously sup-plied the whole army, but of vast machine shops extena vely organized at Knoxville. Besides this, we are cut off from the coal, iron, and copper mines, which were worth millions to us. The copper rolling mills at Cleve-land, superintended by Col. Peet, Government agent, which were burnt by the enemy, formerly turned out 6,000 pounds of copper per day. Over three millions of pounds pounds of copper per day Over three millions of pounds bave been delivered to the Government. This was the only copper rolling milt in the country, and which kept supplied in copper for our caps and cannon. This among our losses of the battle or Chattanooga, which is spoken of as merely resulting in the loss of four thousand men and thirty-eight pieces of cannon!"

REBEL LOSS AT CHICKAMAUGA.

A despatch from Nashville, dated the 29th lostant, says that the official rebel less at Chicksmanga is stated as follows: Killed, 2,299; dangerously wounded, 4,780; slightly, 10 500 a mis ing. 1.900

ENLISTMENT OF CONTRABANDS. A Washington letter in the New York Commercial says:

The Massachusetts recruit purveyors have sgain preforred their request for permission to enlist contrabands here, at Norfolk, and elsewhere where the Union forces have recured a foothold to Dixie. But the S-cretary of War declines, very properly, taking the ground that if our troops would concentrate for the overthrow of the the wealthy States on the Atlantic shore are thus permitted to purchase recruits, and to exempt their own citizons, bad feeling will be g-nerated." THE CHESAPEAKE PIRATES.

ST JOHN, (N. B.) Dec. 28 -Collins and McK-no. two of the Chesapeake pirates, were arrested and brought here before the police magistrate to-day. On the application of their counsel the examination was postponed for

LOSS OF A SPANISH STEAMER.

HAVANA, DEC. 23.—The Spanish war steamer Alays, from Cad z, with eight hundred troops, was disabled by a starm, and, having burst her boiler, put into a port in 11-Capary Islands. Subsequently a fire was discovered in the hold in the coal, and the vessel was soon in flames, and as the flames endangered a powder magazine on the shore at a was annk, and will prove a total loss. With her went down 50 000 rations, 2,500 muskets, and 2,000 teats, all intended for Santa Domingo. Over \$18,000 was collected in the Roman Catholic

Charches of New York city on Christmas day for the be pefit of the Catholic orphans. GENTS! LOOK TO YOUR INTERESTS!-Call

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